

DAC  
JTW

CUSTOMER NO. 46850

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Attorney Docket No. Carr 8-4-5

In application of: Dustin W. Carr, Ho Bun Chan, and Alex T. Tran

Serial No.: 10/743,253

Group No.: 2874

Filed: 12/22/2003

Examiner: Not Yet Assigned

Matter No.: 990.0502

For: Optical Substance Analyzer

**RENEWED PETITION UNDER 37 CFR 1.47(a)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In response to the Decision on Petition Under 37 CFR 1.47(a) dated August 04, 2004, this Renewed Petition is filed to make the above-identified application without an executed declaration from co-inventor Dustin W. Carr, who is not cooperative.

According to the Decision, the Petition Under 37 CFR 1.47(a) filed on May 24, 2004, failed to satisfy the requirements for a grantable petition because the application papers were not sent to the home address of inventor Carr. More specifically, the Decision stated that in a Renewed Petition, "applicants must establish that the entire application package, including specification, claims and drawings, was presented to non-signing inventor Carr and he subsequently refused to sign. If they have not already been sent, a copy of the application papers should be sent to the last known address of the non-signing inventor, or, if the inventor is represented by counsel, to the address of the non-signing inventor's attorney."

We have made a bona fide attempt to comply with the requirements of the Decision of August 4, 2004, and the provisions of § 1.47(a).

- (1) On August 17, 2004, we shipped Dustin W. Carr a complete copy of the patent application, including specification, claims, and drawings, along with a Declaration and Power of Attorney form and an Assignment and Agreement Form to his last known home address (see item 7) via Express Mail, asking him to sign and date the form and return it to our firm for filing (see attachment A).


\* \* \* \* \*

Certification Under 37 CFR 1.8

Date of Deposit 09/22/2004

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail under 37 CFR 1.8 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Amy Laudenslager  
(Name of person mailing)

  
(Signature of person mailing)

- (2) We have provided all inventors with copies of the application as filed on December 22, 2003. We have obtained executed declarations from inventors Ho Bun Chan and Alex T. Tran.
- (3) A Combined Declaration and Power of Attorney form, similar to the one filed herewith, was forwarded by email attachment to Dustin W. Carr's work email address, by facsimile to Dustin W. Carr's work facsimile, and by Express Mail to Dustin W. Carr's work address, all of which containing instructions for him to sign and date the form and return it to our firm for filing.
- (4) Voice messages requesting the executed documents were left by Amy Laudenslager for Dustin W. Carr (505-845-8507) on January 21, 2004, March 19, and March 23, 2004, and for Dustin W. Carr's secretary Anna Garcia (505-844-2150) on April 20, 2004 and May 10, 2004. Amy Laudenslager spoke with Anna Garcia on May 7, 2004 and May 11, 2004 requesting same.
- (5) We have attempted to obtain an executed Combined Declaration and Power of Attorney from Dustin W. Carr, who has failed to respond to all correspondence, including email, facsimile, telephone voice messages, and Express Mail requesting same.

Including attachments:

- (A) Letter dated August 17, 2004 sent via Express Mail from Yuri Gruzdkov to Dustin W. Carr, copy of Express Mail label and post office receipt corresponding to the August 17, 2004 letter, and Track & Confirm details for the Express Mail letter dated August 17, 2004 from the United States Postal Service website;
- (B) Letter dated May 11, 2004 sent via Express Mail from Yuri Gruzdkov to Dustin W. Carr, copy of Express Mail label and post office receipt corresponding to the May 11, 2004 letter, and Track & Confirm details for the Express Mail letter dated May 11, 2004 from the United States Postal Service website;
- (C) Email dated April 20, 2004 from Amy Laudenslager to Dustin W. Carr, with email confirmation of delivery;
- (D) Email dated March 19, 2004 from Amy Laudenslager to Dustin W. Carr, with email confirmation of delivery, and Fax cover with fax confirmation of same, which was faxed on March 19, 2004 from Amy Laudenslager to Dustin W. Carr;
- (E) Email dated January 21, 2004 from Amy Laudenslager to Dustin W. Carr;
- (F) Email dated January 19, 2004 from Amy Laudenslager to Ho Bun Chan and Dustin W. Carr, with email confirmation of delivery to Dustin W. Carr;
- (G) Email dated December 18, 2003 from Amy Laudenslager to Ho Bun Chan, Dustin W. Carr, and Alex T. Tran, with email confirmation of delivery to Dustin W. Carr;
- (H) Email dated December 17, 2003 from Dustin W. Carr to Amy Laudenslager; and
- (I) Employee contact information for Dustin W. Carr from the Sandia National Laboratories website [www.sandia.gov](http://www.sandia.gov).

- (6) The last known work contact information of the nonsigning joint inventor Dustin W. Carr is: Sandia National Laboratories, P.O. Box 5800, Albuquerque, New Mexico 87185-(1080), phone number 505-844-2991, email address [DWCARR@sandia.gov](mailto:DWCARR@sandia.gov) (see attachment I).
- (7) The last known home address of the nonsigning joint inventor Dustin W. Carr is: 5108 Rose Quartz Ave. NW, Albuquerque, Bernadillo County, New Mexico 87114 (see attachment H).

The Commissioner is hereby authorized to charge payment of any additional fees required under 37 CFR §§ 1.16 and 1.17 which are associated with this communication or credit any overpayment to Deposit Account No. 50-0782 in the name of Mendelsohn & Associates, P.C.

Respectfully submitted,

Date:

9/22/04  
Customer No. 46850  
Mendelsohn & Associates, P.C.  
1515 Market Street, Suite 715  
Philadelphia, Pennsylvania 19102



---

Yuri Gruzdkov  
Registration No. 50,762  
Agent for Applicant  
(215) 557-8544 (phone)  
(215) 557-8477 (fax)



**MENDELSON & ASSOCIATES, P.C.**  
INTELLECTUAL PROPERTY LAW

YURI GRUZDKOV, Ph.D.  
DIRECT: (215) 557-8544  
E-MAIL: yuri@mendelip.com

SUITE 715  
1515 MARKET STREET  
PHILADELPHIA, PA 19102

TELEPHONE (215) 557-6656  
FACSIMILE (215) 557-8477

August 17, 2004

**EXPRESS MAIL**

EV140152642US

Dustin W. Carr  
5108 Rose Quartz Ave. NW  
Albuquerque, NM 87114

RE: U.S. Patent Application entitled "Optical Substance Analyzer"  
Serial No.: 10/743,253 Filed: 12/22/2003  
Case Name: Carr 8-4-5 IDS No.: 125896  
Our Reference No.: 990.0502

Dear Mr. Carr:

On 12/22/2003, we filed the above-referenced patent application with the U.S. Patent and Trademark Office. Although our office had sent numerous communications to you in an attempt to obtain your signature on the declaration and assignment forms for the application, you did not respond to any of these communications. To present you with an additional opportunity to execute the declaration and assignment forms, I am sending these forms along with the application papers (specification, claims, and drawings) to the home address that you indicated in your email of December 17, 2003. These are the same application papers and forms that were previously forwarded to you at your work address. Please execute the forms, fax the executed forms to 215-557-8477, and return the executed originals to us by mail in the provided envelope. Please note that the assignment needs to be executed in the presence of a notary public.

If, for some reason, you do not wish to sign the forms, you may simply indicate your intent in your response to us. An exemplary response that you may choose to sign and return to us in the provided envelope is enclosed herewith for your convenience.

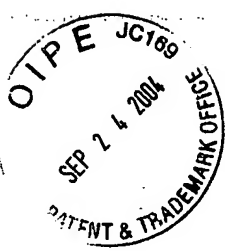
I strongly encourage you to respond to this letter in any acceptable to you form. If we do not hear from you or your legal representative on or before September 1, 2004, we will assume that you refuse to join in on the application and will proceed to file the necessary documents with the U.S. Patent and Trademark Office. Please let me know if you have any questions or concerns regarding this matter.

Very truly yours,

Yuri Gruzdkov  
For MENDELSON & ASSOCIATES, P.C.

YAG:al

Enclosures (patent application, declaration, assignment, and response sheet)



(Serial No.: 10/743,253) Attachment A

RE: U.S. Patent Application entitled "Optical Substance Analyzer"  
Serial No.: 10/743,253 Filed: 12/22/2003  
Case Name: Carr 8-4-5 IDS No.: 125896  
Our Reference No.: 990.0502

This is to notify the firm of Mendelsohn and Associates that I will not be joining in on the patent application entitled "Optical Substance Analyzer" by Carr, Chan, and Tran, filed with the U.S. Patent and Trademark Office on 12/22/2003.

Signed: /Dustin Carr/  
Dated:



PENN CENTER  
 PHILADELPHIA, Pennsylvania  
 191029997  
 4165410148-0098  
 08/17/2004 (800)275-8777 04:16:49 PM

| Sales Receipt         |               |            |             |
|-----------------------|---------------|------------|-------------|
| Product Description   | Sale Qty      | Unit Price | Final Price |
| ALBUQUERQUE NM 87114  |               |            | \$13.65     |
| Express Mail PO-ADD   |               |            |             |
| Serial Number         | EV140152642US |            |             |
| Next Day 3PM / Normal |               |            |             |
| Delivery              |               |            |             |
| Customer Postage      |               |            | -\$13.65    |
| Subtotal:             |               |            | \$0.00      |
| Total:                |               |            | \$0.00      |

Paid by:

Bill#: 1000201800124  
 Clerk: 11

— All sales final on stamps and postage. —  
 Refunds for guaranteed services only.  
 Thank you for your business.  
 Customer Copy



EV 140152642 US



UNITED STATES POSTAL SERVICE®

Customer Copy  
 Label 11-F October 2001

Post Office To Addressee

| ORIGIN (POSTAL USE ONLY)   |  |                                 |               |
|--|--|---------------------------------|---------------|
| PO ZIP Code<br>19102   | Day of Delivery<br><input checked="" type="checkbox"/> First <input type="checkbox"/> Second | Flat Rate Envelope              |               |
| Date<br>8/17/04  | <input type="checkbox"/> 12 Noon <input checked="" type="checkbox"/> 3 PM                    | Postage<br>\$13.65              |               |
| Time in<br><input type="checkbox"/> AM <input checked="" type="checkbox"/> PM    | Military<br><input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day                | Return Receipt Fee              |               |
| Weight<br>9.10 lbs.  | Int'l Alpha Country Code   | COD Fee                         | Insurance Fee |
| No Delivery<br><input type="checkbox"/> Weekend <input type="checkbox"/> Holiday | Acceptance Canceled  | Total Postage & Fees<br>\$13.65 |               |

| DELIVERY (POSTAL USE ONLY) |   |                    |
|----------------------------|---|--------------------|
| Delivery Attempt           | Time  | Employee Signature |
| Mo. Day                    | <input type="checkbox"/> AM <input type="checkbox"/> PM |                    |
| Delivery Attempt           | Time  | Employee Signature |
| Mo. Day                    | <input type="checkbox"/> AM <input type="checkbox"/> PM |                    |
| Delivery Date              | Time  | Employee Signature |
| Mo. Day                    | <input type="checkbox"/> AM <input type="checkbox"/> PM |                    |

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 METHOD OF PAYMENT:  
 Express Mail Corporate Acct. No.

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FROM: (PLEASE PRINT) PHONE 215 557 6656  
 Yuri Gruzdkov  
 MENDELSON & ASSOCIATES P.C.  
 1515 MARKET ST STE 715  
 PHILADELPHIA PA 19102-1907  
 990.0502  
 Carr 8-4-5

TO: (PLEASE PRINT) PHONE  
 Dustin W. Carr  
 5108 Rose Quartz Ave. NW  
 Albuquerque, NM 87114

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## Track & Confirm

### Shipment Details

You entered EV14 0152 642U S

Your item was delivered at 10:53 am on August 18, 2004 in ALBUQUERQUE, NM 87114. The item was signed for by K CARR.

Here is what happened earlier:

- ARRIVAL AT PICK-UP-POINT, August 18, 2004, 8:01 am, ALBUQUERQUE, NM 87114
- ARRIVAL AT UNIT, August 18, 2004, 6:01 am, ALBUQUERQUE, NM 87119
- ACCEPTANCE, August 17, 2004, 4:16 pm, PHILADELPHIA, PA 19102

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(Serial No.: 10/743,253) Attachment B

**MENDELSON & ASSOCIATES, P.C.**  
INTELLECTUAL PROPERTY LAW

YURI GRUZDKOV, Ph.D.  
DIRECT: (215) 557-8544  
E-MAIL: yuri@mendelip.com

SUITE 715  
1515 MARKET STREET  
PHILADELPHIA, PA 19102

TELEPHONE (215) 557-6656  
FACSIMILE (215) 557-8477

May 11, 2004

**EXPRESS MAIL**

**EV140153095US**

Dustin W. Carr  
Sandia National Laboratories, New Mexico  
Mail Stop 1080  
P.O. Box 5800  
Albuquerque, NM 87185-(1080)

RE: U.S. Patent Application entitled, "Optical Substance Analyzer"  
Serial No.: 10/743,253 Filed: 12/22/2003  
Case Name: Carr 8-4-5 IDS No.: 125896  
Our Reference No.: 990.0502

Dear Mr. Carr:

On 12/22/2003, we filed the above-referenced patent application with the U.S. Patent and Trademark Office (PTO). In order to satisfy Lucent's filing schedule, this application was filed without executed declaration and assignment forms.

As such, I am enclosing the declaration and assignment forms for your execution. These are the same forms forwarded to you several times by email. Please note that the assignment needs to be executed in the presence of a notary public. Please fax the executed forms to 215-557-8477 with the originals by mail for filing with the PTO by May 17, 2004.

Our office has made several attempts to reach you by email, fax, and by leaving telephone voice messages with you and your secretary for this matter. If we do not hear from you or receive your executed paperwork on or before May 17, 2004, we will assume that you refuse to join in on the application and will proceed to file the necessary documents with the U.S. Patent and Trademark Office in accordance with 37 CFR 1.47(a), a copy of which is enclosed herewith for your information.

Please let me know if you have any questions regarding any of these procedures.

Very truly yours,

Yuri Gruzdkov  
For MENDELSON & ASSOCIATES, P.C.

YAG:al  
Enclosures





EV 140153095 US



UNITED STATES POSTAL SERVICE®

Post Office To Addressee

## ORIGIN (POSTAL USE ONLY)

|  |   |   |
|--|---|---|
| PO ZIP Code<br>19102   | Day of Delivery<br><input checked="" type="checkbox"/> Next <input type="checkbox"/> Second | Flat Rate Envelope<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Date In<br>5-11-04   | 12 Noon <input checked="" type="checkbox"/> 3 PM <input type="checkbox"/>                   | Postage<br>\$ 13.65   |
| Time In<br>3:45  | Military<br><input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day               | Return Receipt For<br>\$ 13.65  |
| Weight<br>4.00 lbs.  | Int'l Alpha Country Code  | COD Fee Insurance Fee   |
| No Delivery<br><input type="checkbox"/> Weekend <input type="checkbox"/> Holiday | Acceptance Clerk Initials<br>GHT  | Total Postage Fees<br>\$ 13.65  |

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| Delivery Attempt<br>Mo. Day | Time<br><input type="checkbox"/> AM <input type="checkbox"/> PM | Employee Signature |
| Delivery Date<br>Mo. Day    | Time<br><input type="checkbox"/> AM <input type="checkbox"/> PM | Employee Signature |

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FROM: (PLEASE PRINT)

PHONE 215,557 6656

Yuri Gruzdtkov  
MENDELSON & ASSOCIATES P.C.  
1515 MARKET ST STE 715  
PHILADELPHIA PA 19102-1907  
Carr 8-4-5 (990.0502)

TO: (PLEASE PRINT)

PHONE ( )

Dustin W. Carr  
Sandia National Laboratories,  
New Mexico  
Mail Stop 1080  
P.O. Box 5800  
Albuquerque, NM 87185-(1080)

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PHILADELPHIA, Pennsylvania  
191029997

05/11/2004 (800)275-8777 03:46:29 PM

| Product Description | Sale Qty | Unit Price | Final Price |
|---------------------|----------|------------|-------------|
|---------------------|----------|------------|-------------|

|                               |  |  |         |
|-------------------------------|--|--|---------|
| ALBUQUERQUE NM 87185          |  |  | \$13.65 |
| Express Mail PO-ADD Flat Rate |  |  |         |

Serial Number EV140153095US  
Next Day Noon / Normal  
Delivery  
Customer Postage  
Subtotal:

-\$13.65  
\$0.00

Total: \$0.00

Paid by:

Bill #: 1000701154675  
Clerk: 10

— All sales final on stamps and postage.  
Refunds for guaranteed services only.  
Thank you for your business.  
Customer Copy



## Track & Confirm

### Shipment Details



You entered EV14 0153 095U S

Your item was delivered at 9:20 am on May 12, 2004 in ALBUQUERQUE, NM 87185. The item was signed for by A ADA.

Here is what happened earlier:

- NOTICE LEFT, May 12, 2004, 8:53 am, ALBUQUERQUE, NM 87185
- ENROUTE, May 12, 2004, 7:16 am, ALBUQUERQUE, NM 87119
- ARRIVAL AT UNIT, May 12, 2004, 5:58 am, ALBUQUERQUE, NM 87119
- ENROUTE, May 11, 2004, 7:25 pm, PHILADELPHIA, PA 19153
- ACCEPTANCE, May 11, 2004, 3:45 pm, PHILADELPHIA, PA 19102

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**Amy Laudenslager**

**From:** Amy Laudenslager [amy@mendelip.com]  
**Sent:** Tuesday, April 20, 2004 11:28 AM  
**To:** 'Carr, Dustin W'  
**Subject:** RE: URGENT RESPONSE REQUESTED - Carr 8-4-5 (990.0502)  
**Importance:** High

Dear Mr. Carr:

Pursuant to my message with your secretary of today, I am attaching the declaration and assignment forms for this matter for you to sign, date and return to our office via fax (215-557-8477) with the originals by mail. Please note that the Assignment must be executed in the presence of a notary.

We just received a notice from the U.S. Patent and Trademark Office (USPTO) for this matter. The executed paperwork must be filed with the USPTO by the deadline of **06/05/2004**.

Please contact me if you have any questions or comments (215-557-6656). **In any case, please acknowledge receipt of this message via return email.**

Thank you in advance for your attention to this matter.

Sincerely,  
Amy Laudenslager  
Legal Assistant

\* \* \* \* \*  
Mendelsohn & Associates, P.C.  
1515 Market Street  
Suite 715  
Philadelphia, PA 19102  
Phone: 215-557-6656  
Fax: 215-557-8477  
Email: amy@mendelip.com

*This message is intended only for the designated recipient(s). If you are not a designated recipient, you may not review, copy or distribute this message. If you receive this in error, please notify the sender by reply e-mail and delete this message. Thank you.*

-----Original Message-----

**From:** Carr, Dustin W [mailto:dwcarr@sandia.gov]  
**Sent:** Wednesday, December 17, 2003 11:42 AM  
**To:** 'Amy Laudenslager'  
**Subject:** RE: URGENT RESPONSE REQUESTED FW: RE: Information Request for New Lucent Patent Application

Dear Amy,

My current address is  
5108 Rose Quartz Ave. NW  
Albuquerque, Bernalillo County, NM 87114  
U.S. Citizen

**Amy Laudenslager**

---

**From:** System Administrator [postmaster@sandia.gov]  
**Sent:** Tuesday, April 20, 2004 11:28 AM  
**To:** amy@mendelip.com  
**Subject:** Delivered: RE: URGENT RESPONSE REQUESTED - Carr 8-4-5 (990.0502 )

**Importance:** High



URGENT  
ONSE REQUESTED

<<RE: URGENT RESPONSE REQUESTED - Carr 8-4-5 (990.0502)>> Your message

**To:** 'Carr, Dustin W'  
**Subject:** RE: URGENT RESPONSE REQUESTED - Carr 8-4-5 (990.0502)  
**Sent:** Tue, 20 Apr 2004 10:27:52 -0600

was delivered to the following recipient(s):

Carr, Dustin W on Tue, 20 Apr 2004 10:28:24 -0600  
MSEXCH:MSEExchangeMTA:SEEMS:ES10SNLNT

Amy Laudenslager



**From:** Amy Laudenslager [amy@mendelip.com]  
**Sent:** Friday, March 19, 2004 12:23 PM  
**To:** Dustin Carr (DWCARR@sandia.gov)  
**Cc:** Ho Bun Chan (hochan@phys.ufl.edu)  
**Subject:** URGENT: RE: Paperwork for Lucent Application for Carr 8-4-5 (990.0502)

**Importance:** High



Declaration (Carr 8-4-5) 990.0... Assignment (Carr 8-4-5) 990.05... 990.0502 [D] US Drawings.pdf (...)

Dear Mr. Carr:

Pursuant to my message below, we are still waiting for your paperwork for this matter. We have received paperwork from the other inventors. Please contact me immediately (215-557-6656) if you have any questions or comments related to this matter.

In any case, please confirm receipt of this message via return email. Your prompt attention to this matter would be most appreciated.

Thank you,  
Amy Laudenslager

-----Original Message-----

**From:** Amy Laudenslager [mailto:amy@mendelip.com]  
**Sent:** Wednesday, January 21, 2004 3:48 PM  
**To:** Dustin Carr (DWCARR@sandia.gov)  
**Subject:** FW: URGENT: RE: Paperwork for Lucent Application for Carr 8-4-5 (990.0502)

Dear Mr. Carr:

Pursuant to my voice message of today, this is just a friendly reminder regarding the executed paperwork for this case. Your attention to this matter is most appreciated.

We have only received executed paperwork from Mr. Tran at this time.

Please let me know if you have any questions.

Thank you,  
Amy

-----Original Message-----

**From:** Amy Laudenslager [mailto:amy@mendelip.com]  
**Sent:** Monday, January 19, 2004 11:58 AM  
**To:** 'Ho Bun Chan'; Dustin Carr (DWCARR@sandia.gov)  
**Subject:** URGENT: RE: Paperwork for Lucent Application for Carr 8-4-5 (990.0502)  
**Importance:** High

Dear Mr. Chan:

The above-referenced application was filed on 12/22/03 without paperwork. As such, pursuant to our telephone discussion of today, I am attaching the Declaration and Assignment forms for you to sign, date and return to our office via fax (215-557-8477) with the originals by mail. Please note that the Assignment must be executed in the presence of a notary.

Please let me know (phone: 215-557-6656) if you have any questions.

I am also copying Mr. Carr on this message, as we need the same matters from him as well.



Sincerely,  
Amy Laudenslager  
Legal Assistant

\* \* \* \* \*  
Mendelsohn & Associates, P.C.  
1515 Market Street  
Suite 715  
Philadelphia, PA 19102  
Phone: 215-557-6656  
Fax: 215-557-8477  
Email: amy@mendelip.com

This message is intended only for the designated recipient(s). If you are not a designated recipient, you may not review, copy or distribute this message. If you receive this in error, please notify the sender by reply e-mail and delete this message. Thank you.

Amy Laudenslager

**From:** System Administrator [postmaster@sandia.gov]  
**Sent:** Friday, March 19, 2004 12:24 PM  
**To:** amy@mendelip.com  
**Subject:** Delivered: URGENT: RE: Paperwork for Lucent Application for Carr 8-4-5 ( 990.0502)  
**Importance:** High



Paperwork for  
Lucent Applicat..

<<URGENT: RE: Paperwork for Lucent Application for Carr 8-4-5 ( 990.0502)>>  
Your message

**To:** Dustin Carr  
**Cc:** Ho Bun Chan (hochan@phys.ufl.edu)  
**Subject:** URGENT: RE: Paperwork for Lucent Application for Carr 8-4-5 ( 990.0502)  
**Sent:** Fri, 19 Mar 2004 10:22:39 -0700

was delivered to the following recipient(s):

Carr, Dustin W on Fri, 19 Mar 2004 10:23:35 -0700  
MSEXCH:MSExchangeMTA:SEEMS:ES10SNLNT



## FAX COVER SHEET

March 19, 2004

**IMPORTANT**

Page 1 of 3

|   |   |
|---|---|
| <b>FROM:</b><br><br>Amy Laudenslager<br>amy@mendelip.com<br><br><b>COMPANY NAME:</b><br><br>Mendelsohn & Associates, P.C.<br><br><b>PHONE NUMBER:</b><br><br>215-557-6656<br><br><b>FAX NUMBER:</b><br><br>215-557-8477 | <b>TO:</b><br><br>Mr. Dustin Carr<br><br><b>COMPANY NAME:</b><br><br>U.S. Patent and Trademark Office<br><br><b>PHONE NUMBER:</b><br><br>505-845-8507<br><br><b>FAX NUMBER:</b><br><br>505-844-2991 |
| <b>Ref. No.:</b> Carr 8-4-5<br><b>Matter No.:</b> : 990.0502  | <b>RE: Request for Executed Paperwork for</b>   |

### MESSAGE

Dear Mr. Carr:

I have attached my email of today, as I have not yet received a response for the above-referenced matter. If you would, kindly execute the paperwork that I attached to the email of today as indicated in the 01/19/04 message. Please let me know if you need me to fax/mail the papers to you.

Please contact me with any questions. Your attention to this matter would be most appreciated.

Sincerely,  
Amy Laudenslager

#### Confidentiality Note:

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TIME : 03/19/2004 13:08  
NAME :  
FAX : 2155578477  
TEL :

DATE, TIME  
FAX NO. /NAME  
DURATION  
PAGE(S)  
RESULT  
MODE

03/19 13:07  
15058442991  
00:00:49  
03  
OK  
STANDARD  
ECM



## FAX COVER SHEET

March 19, 2004

**IMPORTANT**

Page 1 of 3

|   |   |
|---|---|
| <b>FROM:</b><br><br>Amy Laudenslager<br>amy@mendelip.com<br><br><b>COMPANY NAME:</b><br><br>Mendelsohn & Associates, P.C.<br><br><b>PHONE NUMBER:</b><br><br>215-557-6656<br><br><b>FAX NUMBER:</b><br><br>215-557-8477 | <b>TO:</b><br><br>Mr. Dustin Carr<br><br><b>COMPANY NAME:</b><br><br>U.S. Patent and Trademark Office<br><br><b>PHONE NUMBER:</b><br><br>505-845-8507<br><br><b>FAX NUMBER:</b><br><br>505-844-2991 |
| <b>Ref. No.: Carr 8-4-5</b><br><b>Matter No.: : 990.0502</b>  | <b>RE: Request for Executed Paperwork for</b>   |

### MESSAGE

Dear Mr. Carr:

I have attached my email of today, as I have not yet received a response for the above-referenced matter. If you would, kindly execute the paperwork that I attached to the email of today as indicated in the 01/19/04 message. Please let me know if you need me to fax/mail the papers to you.

Please contact me with any questions. Your attention to this matter would be most appreciated.

**Amy Laudenslager**

**From:** Amy Laudenslager [amy@mendelip.com]  
**Sent:** Wednesday, January 21, 2004 3:48 PM  
**To:** Dustin Carr (DWCARR@sandia.gov)  
**Subject:** FW: URGENT: RE: Paperwork for Lucent Application for Carr 8-4-5 (990.0502)



Declaration (Carr  
8-4-5) 990.0...



Assignment (Carr  
8-4-5) 990.05...



990.0502 [D] US  
Drawings.pdf (...)



990\_0502 text v05  
A4.doc (65 K...

Dear Mr. Carr:

Pursuant to my voice message of today, this is just a friendly reminder regarding the executed paperwork for this case. Your attention to this matter is most appreciated.

We have only received executed paperwork from Mr. Tran at this time.

Please let me know if you have any questions.

Thank you,  
Amy

-----Original Message-----

**From:** Amy Laudenslager [mailto:amy@mendelip.com]  
**Sent:** Monday, January 19, 2004 11:58 AM  
**To:** 'Ho Bun Chan'; Dustin Carr (DWCARR@sandia.gov)  
**Subject:** URGENT: RE: Paperwork for Lucent Application for Carr 8-4-5 (990.0502)  
**Importance:** High

Dear Mr. Chan:

The above-referenced application was filed on 12/22/03 without paperwork. As such, pursuant to our telephone discussion of today, I am attaching the Declaration and Assignment forms for you to sign, date and return to our office via fax (215-557-8477) with the originals by mail. Please note that the Assignment must be executed in the presence of a notary.

Please let me know (phone: 215-557-6656) if you have any questions.

I am also copying Mr. Carr on this message, as we need the same matters from him as well.

Sincerely,  
Amy Laudenslager  
Legal Assistant

\* \* \* \* \*  
Mendelsohn & Associates, P.C.  
1515 Market Street  
Suite 715  
Philadelphia, PA 19102  
Phone: 215-557-6656  
Fax: 215-557-8477  
Email: amy@mendelip.com

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**Amy Laudenslager**

---

**From:** Amy Laudenslager [amy@mendelip.com]  
**Sent:** Monday, January 19, 2004 11:58 AM  
**To:** 'Ho Bun Chan'; Dustin Carr (DWCARR@sandia.gov)  
**Subject:** URGENT: RE: Paperwork for Lucent Application for Carr 8-4-5 (990.0502)

**Importance:** High



Declaration (Carr 8-4-5) 990.0... Assignment (Carr 8-4-5) 990.05... 990.0502 [D] US Drawings.pdf (... A4.doc (65 K... 990\_0502 text v05

Dear Mr. Chan:

The above-referenced application was filed on 12/22/03 without paperwork. As such, pursuant to our telephone discussion of today, I am attaching the Declaration and Assignment forms for you to sign, date and return to our office via fax (215-557-8477) with the originals by mail. Please note that the Assignment must be executed in the presence of a notary.

Please let me know (phone: 215-557-6656) if you have any questions.

I am also copying Mr. Carr on this message, as we need the same from him as well.

Sincerely,  
Amy Laudenslager  
Legal Assistant

\* \* \* \* \*  
Mendelsohn & Associates, P.C.  
1515 Market Street  
Suite 715  
Philadelphia, PA 19102  
Phone: 215-557-6656  
Fax: 215-557-8477  
Email: amy@mendelip.com

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**Amy Laudenslager**

---

**From:** System Administrator [postmaster@sandia.gov]  
**Sent:** Monday, January 19, 2004 11:59 AM  
**To:** amy@mendelip.com  
**Subject:** Delivered: URGENT: RE: Paperwork for Lucent Application for Carr 8-4-5 ( 990.0502)  
**Importance:** High



Paperwork for  
Lucent Applicat...

<<URGENT: RE: Paperwork for Lucent Application for Carr 8-4-5 ( 990.0502)>>  
Your message

To: 'Ho Bun Chan'; Dustin Carr  
Subject: URGENT: RE: Paperwork for Lucent Application for Carr 8-4-5 ( 990.0502)  
Sent: Mon, 19 Jan 2004 09:58:17 -0700

was delivered to the following recipient(s):

Carr, Dustin W on Mon, 19 Jan 2004 08:59:11 -0700  
MSEXCH:MSExchangeMTA:SEEMS:ES10SNLNT

**Amy Laudenslager**

---

**From:** Amy Laudenslager [amy@mendelip.com]  
**Sent:** Thursday, December 18, 2003 3:04 PM  
**To:** Ho Bun Chan (hochan@phys.ufl.edu); Dustin Carr (DWCARR@sandia.gov); Alex Tran (attran@yahoo.com)  
**Subject:** RE: Paperwork for New Lucent filing for Carr 8-4-5 (990.0502)  
**Importance:** High

Dear Ho Bun:

Yuri Gruzdkov has asked me to let you all know that the application has been approved for filing by the managing attorney Eugene Rosenthal. As such, I am attaching the declaration and assignment forms for your execution at this time. Please note that the assignment needs to be executed in the presence of a notary public. Please return the executed forms to me by **fax (215-557-8477)** with the originals by mail for filing with the PTO. Also attached is a copy of the application and drawings that will be filed.

If an address needs to be updated, please change the information on the forms with the respective inventor's initials next to the changes.

Please note that Yuri will be out of the office from Dec. 23 to Jan. 2. So, if possible, we would like to file this application on Friday (tomorrow).

Please let me know if you have any questions.

Sincerely,  
Amy Laudenslager  
Legal Assistant

\* \* \* \* \*  
Mendelsohn & Associates, P.C.  
1515 Market Street  
Suite 715  
Philadelphia, PA 19102  
Phone: 215-557-6656  
Fax: 215-557-8477  
Email: amy@mendelip.com

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**Amy Laudenslager**

---

**From:** System Administrator [postmaster@sandia.gov]  
**Sent:** Thursday, December 18, 2003 3:05 PM  
**To:** amy@mendelip.com  
**Subject:** Delivered: RE: Paperwork for New Lucent filing for Carr 8-4-5 ( 9 90.0502)

**Importance:** High



Paperwork for  
New Lucent fil...

<<RE: Paperwork for New Lucent filing for Carr 8-4-5 (990.0502)>> Your  
message

**To:** Ho Bun Chan (hochan@phys.ufl.edu); Dustin Carr; Alex Tran  
**Subject:** RE: Paperwork for New Lucent filing for Carr 8-4-5 (990.0502)  
**Sent:** Thu, 18 Dec 2003 13:03:59 -0700

was delivered to the following recipient(s):

Carr, Dustin W on Thu, 18 Dec 2003 12:05:07 -0700  
MSEXCH:MSExchangeMTA:SEEMS:ES10SNLNT

**Amy Laudenslager**

---

**From:** Carr, Dustin W [dwcarr@sandia.gov]  
**Sent:** Wednesday, December 17, 2003 11:42 AM  
**To:** 'Amy Laudenslager'  
**Subject:** RE: URGENT RESPONSE REQUESTED FW: RE: Information Request for New Lucent Patent Application

Dear Amy,

My current address is  
5108 Rose Quartz Ave. NW  
Albuquerque, Bernalillo County, NM 87114  
U.S. Citizen

Dustin

-----Original Message-----

**From:** Amy Laudenslager [mailto:amy@mendelip.com]  
**Sent:** Wednesday, December 17, 2003 8:44 AM  
**To:** Dustin Carr  
**Subject:** URGENT RESPONSE REQUESTED FW: RE: Information Request for New Lucent Patent Application

-----Original Message-----

**From:** Amy Laudenslager [mailto:amy@mendelip.com]  
**Sent:** Wednesday, December 10, 2003 3:31 PM  
**To:** Dustin Carr (DWCARR@sandia.gov)  
**Subject:** URGENT RESPONSE REQUESTED FW: RE: Information Request for New Lucent Patent Application  
**Importance:** High

-----Original Message-----

**From:** Amy Laudenslager [mailto:amy@mendelip.com]  
**Sent:** Monday, November 17, 2003 3:01 PM  
**To:** Dustin Carr (DWCARR@sandia.gov)  
**Subject:** RE: Information Request for New Lucent Patent Application  
**Importance:** High

Title: Optical Substance Analyzer  
Lucent Case Name: Carr 8-4-5  
Our Ref.: 990.0502

Dear Mr. Carr:

Pursuant to Mr. Ho bun Chan, we understand that you have contributed to the above-referenced Lucent patent application. When we file this application, we will need the following information for the formal papers:

1. Your current home address (including county); and
2. Your citizenship.

Thank you in advance for your attention to this matter. Please contact us if you have questions related to

this message.  
Sincerely,  
Amy Laudenslager  
Legal Assistant

\* \* \* \* \*

Mendelsohn & Associates, P.C.  
1515 Market Street  
Suite 715  
Philadelphia, PA 19102  
Phone: 215-557-6656  
Fax: 215-557-8477  
Email: amy@mendelip.com

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Your query returned 1 name

| Name            | Phone          | Email  | Fax            | Mailstop |
|-----------------|----------------|--------|----------------|----------|
| CARR, DUSTIN W. | (505) 845-8507 | DWCARR | (505) 844-2991 | 1080     |

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Albuquerque, NM 87185-(mail stop)\*

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1515 Eubank SE  
Albuquerque, NM 87123

#### California

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PO Box 969  
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Livermore, CA 94550

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### Community and public affairs

#### New Mexico

Community Involvement and Issues  
Management  
Ginni Edmund  
(505) 284-5200  
Mail Stop 1313

#### California

Media Relations  
Mike Janes  
(925) 294-2447  
Mail Stop 9111

#### Media Relations

Iris Aboytes  
(505) 844-8066  
Mail Stop 0165

[Top of page](#)



Customer No.: 22186

Attorney Docket No. Carr 8-4-5

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

Declaration and Power of Attorney

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if multiple names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **Optical Substance Analyzer**, the specification of which is being filed under the above-identified Attorney Docket Number.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to in this oath or declaration.

I acknowledge the duty to disclose all information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

None

I hereby claim the benefit under Title 35, United States Code, 119(e) of any United States provisional application(s) identified below:

None

I hereby claim the benefit under Title 35, United States Code, 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

None

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorney(s) with full power of substitution and revocation, to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith:

|                        |                  |
|------------------------|------------------|
| Kenneth M. Brown       | (Reg. No. 37590) |
| Donald P. Dinella      | (Reg. No. 39961) |
| Martin I. Finston      | (Reg. No. 31613) |
| Barry H. Freedman      | (Reg. No. 26166) |
| Julio A. Garceran      | (Reg. No. 37138) |
| Jimmy Goo              | (Reg. No. 36528) |
| Stephen M. Gurey       | (Reg. No. 27336) |
| David W. Herring, Jr.  | (Reg. No. 51069) |
| Matthew J. Hodulik     | (Reg. No. 36164) |
| Irena Lager            | (Reg. No. 39260) |
| John B. MacIntyre      | (Reg. No. 41170) |
| Christopher N. Malvone | (Reg. No. 34866) |
| John F. McCabe         | (Reg. No. 42854) |
| James Milton           | (Reg. No. 46935) |
| Gregory J. Murgia      | (Reg. No. 41209) |
| Eugene J. Rosenthal    | (Reg. No. 36658) |
| Steven R. Santema      | (Reg. No. 40156) |
| David A. Sasso         | (Reg. No. 43084) |
| Ozer M. N. Teitelbaum  | (Reg. No. 36698) |

I hereby appoint the attorney(s) on ATTACHMENT A as associate attorney(s) in the aforementioned application, with full power solely to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected with the prosecution of said application. No other powers are granted to such associate attorney(s) and such associate attorney(s) are specifically denied any power of substitution or revocation.

Full name of sole inventor (or 1st joint inventor): Dustin W. Carr

Inventor's  
signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: Albuquerque, Bernalillo County, New Mexico

Citizenship: USA

Post Office Address: 5108 Rose Quartz Ave. NW  
Albuquerque, NM 87114

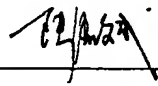
Customer No.: 22186

Attorney Docket No. Carr 8-4-5

4

Full name of 2nd joint inventor: Ho Bun Chan

Inventor's  
signature



Date 1-19-04

Residence: Gainesville, Florida

Citizenship: China

Post Office Address: 5333 SW 75th Street, Apt C17  
Summit, FL 32601  
Gainesville, FL 32608

Customer No.: 22186

Attorney Docket No. Carr 8-4-5

5

Full name of 3rd joint inventor: Alex T. Tran

Inventor's  
signature



Date

4/9/04

Residence: Madison, Morris County, New Jersey

Citizenship: Canada

Post Office Address:

303 Main Street, 3<sup>rd</sup> Floor  
Madison, NJ 07940

Customer No.: 22186

Attorney Docket No. Carr 8-4-5

6

**ATTACHMENT A**

|                   |                           |           |               |
|-------------------|---------------------------|-----------|---------------|
| Attorney Name(s): | <u>Steve Mendelsohn</u>   | Reg. No.: | <u>35,951</u> |
|                   | <u>Ian M. Hughes</u>      |           | <u>41,083</u> |
|                   | <u>Steven R. Petersen</u> |           | <u>31,287</u> |
|                   | <u>Yuri Gruzdkov</u>      |           | <u>50,762</u> |
|                   | <u>Michael L. Craner</u>  |           | <u>50,127</u> |

Telephone calls should be made to **Mendelsohn & Associates, P.C.** at:

Phone No.: 215-557-6657

Fax No.: 215-557-8477

All written communications are to be addressed to:

**Steve Mendelsohn  
Mendelsohn & Associates, P.C.  
1515 Market Street, Suite 715  
Philadelphia, PA 19102**

Customer No.: **22186**